

# ***EXHIBIT 20***

Tania Chavez

June 15, 2023

CONFIDENTIAL - ATTORNEYS EYES ONLY  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO,  
et al,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al,  
Defendants.

Case No: 5:21-cv-844-XR  
[LEAD CASE]

OCA-GREATER HOUSTON, et al,  
Plaintiffs,

v.

JANE NELSON, et al,  
Defendants.

Case No: 1:21-cv-780-XR

HOUSTON AREA URBAN LEAGUE,  
et al,

Plaintiffs,

v.

GREGORY WAYNE ABBOTT, et al,  
Defendants.

Case No: 5:21-cv-848-XR

LULAC TEXAS, et al,  
Plaintiffs,

v.

JANE NELSON, et al,  
Defendants.

Case No: 1:21-cv-0786-XR

MI FAMILIA VOTA, et al  
Plaintiffs,

v.

GREG ABBOTT, et al,  
Defendants.

Case No: 5:21-cv-0920-XR

Tania Chavez

June 15, 2023  
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1 UNITED STATES OF AMERICA,  
2 Plaintiff,

3 v.

4 THE STATE OF TEXAS, et al,  
5 Defendants.

} Case No: 5:21-cv-1085-XR  
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9 ORAL AND VIDEOTAPED DEPOSITION OF

10 TANIA CHAVEZ

11 JUNE 15, 2023  
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15 ORAL AND VIDEOTAPED DEPOSITION OF TANIA CHAVEZ,  
16 produced as a witness at the instance of the State  
17 Defendants, and duly sworn, was taken in the  
18 above-styled and numbered cause on the 15th day of June,  
19 2023, from 10:06 a.m. to 12:24 p.m., before Tracie L.  
20 Carbajal, CSR, in and for the State of Texas, reported  
21 by machine shorthand, at the offices of La Union Del  
22 Pueblo Entero, located at 1601 U.S. Business 83, San  
23 Juan, Texas, pursuant to the Federal Rules of Civil  
24 Procedure, and the provisions stated on the record or  
25 attached hereto.

1 effort to be able to do outreach to inform elderly  
2 community members that they were -- they're no longer  
3 enrolled to be able to do -- vote by mail.

4 Q. Okay. I'll talk to you more about that, but are  
5 there any other areas that -- in which LUPE has suffered  
6 damage or injury because of the passage of SB 1?

7 A. We've had to reallocate resources in order to  
8 compensate for the additional work that SB 1 has  
9 resulted in the community.

10 Q. Let me try to understand that a little bit  
11 better. If I understood you correctly, one -- one type  
12 of effort that has required additional resources is  
13 outreach to elderly members regarding mail-in votes.  
14 Are there other areas where you had to provide  
15 additional services to compensate for SB 1?

16 A. We've had to work a lot closer with the community  
17 as a result of SB 1 to be able to clarify their fears in  
18 helping voters at the poll or assisting voters at the  
19 poll. And in addition to that, we've had to triage  
20 circumstances in which community members have either  
21 been denied the opportunity to be assisted or encourage  
22 them with information that would allow them to go cast  
23 their vote lawfully since they were fearful of doing so  
24 as a result of the SB 1 legislation.

25 Q. Okay. Does that encompass all of the ways in

1 which LUPE has been injured or damaged from the passage  
2 of SB 1 that you're personally aware of?

3 A. No. It has also affected the way that we do our  
4 events and being cautious around taking community  
5 members to curbside voting, especially the elderly one.  
6 We've also had to work with community members who are  
7 fearful of the oath -- any oath and make them aware of  
8 the different forms that they need to sign.

9 Q. Okay. Are there any other types of injury or  
10 damage that LUPE has suffered as a result of SB 1 that  
11 you can think of?

12 A. I'm sure there are many. At the moment, this is  
13 what I can share with you.

14 Q. Okay. One of the areas of SB 1 that you  
15 mentioned was mail-in voting, and you indicated that  
16 LUPE had to deploy additional resources to provide  
17 assistance to elderly members regarding voting by mail.  
18 Was it necessary to hire anybody new for that purpose,  
19 or was it simply deploying existing resources within  
20 LUPE to provide that assistance to your elderly members?

21 A. No. We had to hire additional staff.

22 Q. Approximately, how many?

23 A. Two.

24 Q. Do those persons have additional duties besides  
25 helping elderly members during the voting period?

1 A. Yes.

2 Q. What other types of responsibilities do those two  
3 employees have?

4 A. All related to GOTV activities.

5 Q. And when you say GOTV, you're referring to Get  
6 Out The Vote?

7 A. That is correct.

8 Q. I assume those two persons are still employed  
9 with -- with LUPE --

10 A. Yes, they are.

11 Q. -- now, in the middle of 2023, even though this  
12 is not a state election year?

13 A. That is correct because community members still  
14 need to be able to register to vote.

15 Q. Okay. So are those two employees engaged  
16 full-time in voter registration efforts?

17 A. Yes, they are.

18 Q. Now, my recollection is that SB 1 went into  
19 effect around the end of 2021, or the very beginning of  
20 2022, but before the primary election season. Is that  
21 your recollection, also?

22 A. Yes.

23 Q. Okay. And because it was a new law, did that  
24 require some special education efforts on the part of  
25 LUPE towards its members?

1 A. Yes, it did.

2 Q. And, generally, what do you recall that you  
3 personally were aware of in that regard?

4 A. We were briefed on the changes that happened as a  
5 result of the legislation, and canvassers were trained  
6 on how to approach community members. I was not present  
7 at the trainings, but I do know that they took place.

8 Q. Do you know approximately how much money LUPE  
9 spent on that training prior to the 2022 primaries?

10 A. I do not know.

11 Q. Did you personally observe any problems related  
12 to the March 2022 primaries among LUPE members?

13 MS. PERALES: Objection; vague as to  
14 problems.

15 You may answer if you understand.

16 A. Could you clarify your question?

17 Q. Sure. I don't mean to be technical about it.  
18 I'm just really asking you about any situations in which  
19 people had unusual difficulties voting or in getting  
20 their votes counted rather than rejected.

21 A. Particularly in the primaries of 2022, we had a  
22 lot of community members confused about their ballot by  
23 mail, particularly community members complaining that  
24 they had not yet received their ballot by mail. And so  
25 we had to inform them of the circumstances of SB 1 and

1 A. Mostly Hidalgo county.

2 Q. Mostly? There are some in one of the other  
3 counties, as well?

4 A. I do not know.

5 Q. Okay. Approximately, how many are there?

6 A. Maybe less than ten.

7 Q. Do you personally donate to any county or local  
8 officials in terms of election campaigns in Hidalgo,  
9 Starr or Cameron Counties?

10 A. No, I do not.

11 Q. Ms. Chavez, do you have any reason to believe  
12 that the requirements of SB 1 are not applied equally  
13 all over the State of Texas?

14 A. I don't know that I have the knowledge to be able  
15 to explain whether or not they are being applied equally  
16 over the State of Texas, but I can tell you how it's  
17 affected our community.

18 Q. And I'll ask you about that, but this question is  
19 just, do you have any reason to believe that they're not  
20 being applied equally all over Texas?

21 A. We do not serve counties beyond the Rio Grande  
22 Valley, so I would not be able to answer your question.

23 Q. Do you have any reason to believe that the  
24 requirements of SB 1 are not applied equally to Latino  
25 citizens as compared with other citizens of Texas?



1 A. I do.

2 Q. What is that?

3 A. We have seen community members -- for example, in  
4 Pharr, Texas, there was a community member specifically  
5 who is a Spanish speaker and who is disabled, and asked  
6 that we accompany them to the polls, or a staff member  
7 join him at the polls. And when he asked that he be  
8 allowed to have an assistant to help him to vote, he was  
9 denied that opportunity after much insistence from our  
10 staff member and the community member himself.

11 She was eventually allowed to go take the oath  
12 inside the building. This was curbside voting they were  
13 attempting to do, or the gentleman was attempting to do.  
14 When our staff member came back from taking the oath,  
15 which they could have taken at the curbside voting but  
16 chose not to do so, the -- and, also, the community  
17 member who was monolingual Spanish speaker was not  
18 allowed -- and disabled, was not allowed his assister of  
19 choice.

20 The election worker continuously said that he  
21 couldn't be helped and that he didn't need any  
22 assistance. I think that by knowing a community member  
23 for two or three minutes, you wouldn't know what the  
24 limitations of that community member will be. Yet, this  
25 election worker chose to say that the community member

1 didn't need any assistance.

2 When she eventually let our staff member go and  
3 get the oath, and she returned after several minutes,  
4 our -- the voter was already being -- was already voting  
5 with assistance of the poll worker. When the community  
6 member -- when our staff member returned and witnessed  
7 this, obviously, challenged this because our community  
8 member had the right to choose his assister of choice,  
9 and that right was denied to him.

10 In that moment, the poll worker actually called  
11 the police, and the policeman stood there and eventually  
12 ended up finishing helping this gentleman to vote. He  
13 was highly intimidated. He's a monolingual Spanish  
14 speaker. And, so, yes, Latino/Hispanic community  
15 members are -- who may require language assistance are  
16 often subject to harassment as we can see from this  
17 example.

18 There was no need to have called the police.  
19 And, also, our staff member should have been allowed to  
20 take the oath of office and help the community member  
21 because that is his right to have a chose -- an assister  
22 of his choice, and he was denied that right.

23 Q. Okay. I'm going to ask you more about that  
24 information. But aside from that, are you aware of any  
25 reason to believe that the requirements of SB 1 are not

1 MR. BRYANT: Strike that.

2 BY MR. BRYANT:

3 Q. In Hidalgo County, for example, are most of the  
4 poll workers not Hispanic?

5 A. I wouldn't know.

6 Q. Do you have any reason to believe that SB 1 was  
7 passed with an intention of discriminating against  
8 Latino or Hispanic citizens?

9 A. Could you repeat the question?

10 Q. Sure.

11 MR. BRYANT: Could you read that back,  
12 please?

13 THE REPORTER: (Reporter complies.)

14 A. Yes, in that whenever you do not allow community  
15 members to have assistants of their choice, who are  
16 monolingual Spanish speakers, it immediately  
17 discriminates towards minorities and people of color who  
18 do not speak English, whether that is Latino, Hispanic,  
19 Chinese, you name it.

20 But whenever you do not have the ability --  
21 whenever you suppress the abilities of somebody to have  
22 an assistant of their choice, whether that is because  
23 there's a new oath of office that could put them in jail  
24 or whether that is because we have limitations as to how  
25 many people we can take to the polls, it limits the

1 ability for community members who work with color to be  
2 able to assist voters.

3 Q. Okay. Is there anything else that you would add  
4 to that answer as to any reason to believe that the bill  
5 was passed with the intention to discriminate?

6 A. The bill was definitely passed with the intention  
7 to discriminate for minorities and disabled community  
8 members. That is my belief.

9 Q. Okay. What's the reason or basis for that belief  
10 aside from what you've already told me?

11 A. Well, I have provided examples that have led me  
12 to believe such.

13 Q. When you refer to examples, are you referring to  
14 the two incidents you testified about, one in Pharr and  
15 one with [REDACTED], or are you referring to other  
16 things?

17 A. [REDACTED] and Pharr. We talked about the  
18 mail-in ballots. We talked about it -- earlier about  
19 elderly community members not being able to -- who  
20 are -- the majority of them disabled, not being able to  
21 receive their ballot by mail, all the incidents that we  
22 discussed over this past hour.

23 Q. Okay. I understand that -- that many of the  
24 mail-in voters in Texas are elderly people and that if  
25 you're elderly, it can be difficult to understand new

1 ballot by mail, and, subsequently, the county will send  
2 them the ballots.

3 Q. You mentioned earlier in your testimony that LUPE  
4 had a concern about the oath that could put assisters in  
5 jail.

6 A. Uh-huh.

7 Q. And I wanted to follow up and ask you if LUPE has  
8 any concerns about making some kind of mistake in voter  
9 assistance that could lead to investigation and  
10 prosecution?

11 A. Yes.

12 MR. BRYANT: Objection; form.

13 BY MS. PERALES:

14 Q. Could you elaborate on that, please?

15 A. Yes. One of the challenges that we have with the  
16 oath is that it states, under penalty something or  
17 other, and so -- which brings about the risk for them to  
18 be prosecuted. The biggest challenge or concern that we  
19 have is that if an election worker, a poll watcher  
20 believes that the person who did the oath is not abiding  
21 by, that that could result on their incarceration as a  
22 result of this.

23 Another incident that we have concerns of is the  
24 ability for us as an entity to be able to support ballot  
25 measures because once we have mail-in ballots of

1 people's homes, there's really no way for us to be able  
2 to do GOTV at the doors. I mean, it's not like we're  
3 going to knock on the door and say, like, "Hello. Do  
4 you have a mail-in ballot because, otherwise, I can't  
5 talk to you about what I'm about to talk to you."

6 I mean, that's just not how it works. You're  
7 supposed to be able to knock on the door and talk to  
8 folks on a measure that you are supporting, for us that  
9 we do, and for structural work that we do, drainage  
10 work, pave roads, healthcare access, education. There  
11 could be a number of measures that we could support and  
12 the inability to do this freely in the presence of a  
13 ballot. It brings about challenges that our staff could  
14 potentially face jail time or us, an employer, or me as  
15 an executive director that may pay the consequences of  
16 that if somebody accidentally makes -- makes a mistake.

17 And then, really, like the biggest challenge that  
18 we have seen is the inability to assist community  
19 members on their ballot by -- by mail, given that we're  
20 unable to compensate staff members to assist community  
21 members to -- to assist in the ballot by mail. And so  
22 if -- if any of these incidents occur, which may result  
23 in prosecution, which is a reason why we have spent  
24 additional -- additional resources on doing training for  
25 canvassers and staff during Get Out The Vote efforts.

1 MR. BRYANT: Objection, nonresponsive.

2 BY MS. PERALES:

3 Q. One final question. When you were talking about  
4 the incident involving the curbside voter in Pharr, you  
5 mentioned that the assistance form and oath of  
6 assistance could have been brought out to the car for  
7 the assister but that it was not.

8 A. Uh-huh.

9 Q. Whose decision was it not to bring the -- those  
10 forms out to the car?

11 A. The poll workers.

12 MS. PERALES: I pass the witness.

13 EXAMINATION

14 BY MR. BRYANT:

15 Q. Ms. Chavez, you testified earlier about the  
16 intent behind the SB 1, and I believe you used the term  
17 people of color. What do you mean by that term?

18 MS. PERALES: I'm going to let the witness  
19 answer, but I want to object. It's outside the scope of  
20 the redirect.

21 You may answer.

22 A. People who -- I mean, you're asking what I mean  
23 by people of color? People who are brown, black or  
24 anything whose racial ethnicity is other than Caucasian,  
25 white.

1 waive the reading of the Rules, which we should have  
2 done at the beginning, but with Mr. Bryant's consent, we  
3 can waive the reading of the Rules now.

4 MR. BRYANT: I so consent.

5 THE VIDEOGRAPHER: Okay. Off the record at  
6 12:24 p.m.

7 (Proceedings concluded at 12:24 p.m.)  
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